

The House Committee on Judiciary Non-Civil offers the following substitute to HB 231:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to
2 controlled substances, so as to change certain provisions relating to Schedules I, II, IV, and
3 V controlled substances; to change certain provisions relating to the definition of dangerous
4 drug; to provide for related matters; to provide for an effective date; to repeal conflicting
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled
9 substances, is amended in Code Section 16-13-25, relating to Schedule I controlled
10 substances, by adding two new subparagraphs to paragraph (1) to read as follows:

11 "(RR) 3,4-dichloro-N-[(1-dimethylamino)cyclohexylmethyl]benzamide (AH-7921);
12 (SS) 3,4-dichloro-N-(2-(dimethylamino)cyclohexyl)-N-methylbenzamide (U-47700);"

13 **SECTION 2.**

14 Said chapter is further amended in Code Section 16-13-25, relating to Schedule I controlled
15 substances, by revising subparagraphs (CC), (EE), (JJ), (KK), (LL), (MM), (NN), (RR), and
16 (FFF) of and by adding new subparagraphs to paragraph (3) as follows:

17 "(CC) ~~3-methylfentanyl~~ Reserved;"
18 "(EE) ~~Para-flurofentanyl~~ Reserved;"
19 "(JJ) ~~Alpha-Methylthiofentanyl~~ Reserved;
20 (KK) ~~Acetyl-Alpha-Methylfentanyl~~ Reserved;
21 (LL) ~~3-Methylthiofentanyl~~ Reserved;
22 (MM) ~~Beta-Hydroxyfentanyl~~ Reserved;
23 (NN) ~~Thiofentanyl~~ Reserved;"
24 "(RR) ~~Beta-Hydroxy-3-Methylfentanyl~~ Reserved;"
25 "(FFF) ~~4-Fluoromethcathinone~~ Fluoromethcathinone;"

26 "(EEEE) 1-(1-benzofuran-6-yl)propan-2-amine (6-APB);
 27 (FFFF) 1-(1-benzofuran-5-yl)-N-ethylpropan-2-amine (5-EAPB);"

28 **SECTION 3.**

29 Said chapter is further amended in Code Section 16-13-25, relating to Schedule I controlled
 30 substances, by revising subparagraphs (B) and (C) of paragraph (4) as follows:

31 "(B) N-(1-benzyl-4-piperidyl)-N-phenylpropanamide (benzyl-fentanyl) Reserved;
 32 (C) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide (thienylfentanyl)
 33 Reserved;"

34 **SECTION 4.**

35 Said chapter is further amended in Code Section 16-13-25, relating to Schedule I controlled
 36 substances, by substituting the "." at the end of subparagraph (V) of paragraph (12) with a
 37 ";" and by adding new paragraphs to read as follows:

38 "(13) The fentanyl analog structural class, including any of the following derivatives,
 39 their salts, isomers, or salts of isomers, unless specifically utilized as part of the
 40 manufacturing process by a commercial industry of a substance or material not intended
 41 for human ingestion or consumption, as a prescription administered under medical
 42 supervision, or for research at a recognized institution, whenever the existence of these
 43 salts, isomers, or salts of isomers is possible within the specific chemical designation or
 44 unless specifically excepted or listed in this or another schedule, structurally derived from
 45 fentanyl, and whether or not further modified in any of the following ways:

46 (A) Substitution anywhere on the phenethyl group with:

- 47 (i) Alkyl group;
- 48 (ii) Hydroxyl group;
- 49 (iii) Halide group;

50 (B) Replacement of the phenethyl group with:

- 51 (i) Thienyl ethyl group, which can be further substituted with:
 - 52 (I) Alkyl group;
 - 53 (II) Hydroxyl group;
 - 54 (III) Halide group;
- 55 (ii) Oxotetrazol ethyl group, which can be further substituted with:
 - 56 (I) Alkyl group;
 - 57 (II) Hydroxyl group;
 - 58 (III) Halide group;
- 59 (iii) Alkyl group;
- 60 (iv) Thienyl methyl group, which can be further substituted with:

- 61 (I) Alkyl group;
62 (II) Hydroxyl group;
63 (III) Halide group;
64 (v) Benzyl group, which can be further substituted with:
65 (I) Alkyl group;
66 (II) Hydroxyl group;
67 (III) Halide group;
68 (vi) Furanyl ethyl group, which can be further substituted with:
69 (I) Alkyl group;
70 (II) Hydroxyl group;
71 (III) Halide group;
72 (vii) Phenyl alkyl group, which can be further substituted with:
73 (I) Alkyl group;
74 (II) Hydroxyl group;
75 (III) Halide group;
76 (viii) Pyridinyl ethyl group, which can be further substituted with:
77 (I) Alkyl group;
78 (II) Hydroxyl group;
79 (III) Halide group;
80 (ix) Diazole ethyl group, which can be further substituted with:
81 (I) Alkyl group;
82 (II) Hydroxyl group;
83 (III) Halide group;
84 (IV) Nitro group;
85 (x) Thiazole ethyl group, which can be further substituted with:
86 (I) Alkyl group;
87 (II) Hydroxyl group;
88 (III) Halide group;
89 (xi) Benzoxazolinone ethyl group, which can be further substituted with:
90 (I) Alkyl group;
91 (II) Hydroxyl group;
92 (III) Halide group;
93 (C) Substitution anywhere on the piperidine ring with:
94 (i) Alkyl group;
95 (ii) Allyl group;
96 (iii) Phenyl group;
97 (iv) Ester group;

- 98 (v) Ether group;
99 (vi) Pyridine group, which can be further substituted with:
100 (I) Alkyl group;
101 (II) Hydroxyl group;
102 (III) Halide group;
103 (vii) Thiazole group, which can be further substituted with:
104 (I) Alkyl group;
105 (II) Hydroxyl group;
106 (III) Halide group;
107 (viii) Oxadiazole group, which can be further substituted with:
108 (I) Alkyl group;
109 (II) Hydroxyl group;
110 (III) Halide group;
111 (IV) Ether group;
112 (D) Substitution anywhere on the propanamide group with:
113 (i) Cyclic alkyl group;
114 (ii) Acyclic alkyl group;
115 (iii) Methoxy group;
116 (E) Replacement of the propanamide group with:
117 (i) Acryloyl amino group;
118 (ii) Acetamide group, which itself can be further substituted with a cyclic alkyl
119 group;
120 (iii) Methoxy acetamide group;
121 (iv) Furanyl amide group;
122 (F) Substitution anywhere on the phenyl ring with:
123 (i) Halide group;
124 (ii) Methoxy group;
125 (iii) Alkyl group;
126 (G) Replacement of the phenyl ring with the pyrazine ring;
127 (14) The piperidinyl-sulfonamide structural class, including any of the following
128 compounds, derivatives, their salts, isomers, or salts of isomers, halogen analogues, or
129 homologues, unless specifically utilized as part of the manufacturing process by a
130 commercial industry of a substance or material not intended for human ingestion or
131 consumption, as a prescription administered under medical supervision, or for research
132 at a recognized institution, whenever the existence of these salts, isomers, or salts of
133 isomers, halogen analogues, or homologues is possible within the specific chemical
134 designation or unless specifically excepted or listed in this or another schedule,

135 structurally derived from piperidinyl-sulfonamide, and whether or not further modified
136 in any of the following ways:

137 (A) By substitution at the 1-position of the piperidinyl ring with any of the following:

138 (i) Alkyl group;

139 (ii) Phenyl alkyl group;

140 (iii) Amino substituted phenyl alkyl group;

141 (iv) Nitro substituted phenyl alkyl group;

142 (v) Cycloalkyl group;

143 (vi) Alkenyl substituent group;

144 (B) By substitution at the 3-position or 4-position of the piperidinyl ring with any of
145 the following:

146 (i) Halide group;

147 (ii) Alkyl group;

148 (iii) Alkoxy substituent;

149 (C) By substitution on the sulfonamide with any of the following:

150 (i) Pyridyl group;

151 (ii) Alkyl group;

152 (iii) Phenyl group;

153 (iv) Phenyl alkyl group;

154 (v) Alkoxy substituted phenyl group;

155 (vi) Halogen substituted phenyl group;

156 (vii) Nitro substituted phenyl group;

157 (viii) Amino substituted phenyl group;

158 (ix) Alkanoylamino substituted phenyl group;

159 (x) Amido substituted phenyl group;

160 (15) The 1-cyclohexyl-4-(1,2-diphenylethy)-piperazine (MT-45) structural class,
161 including any of the following derivatives, their salts, isomers, or salts of isomers, unless
162 specifically utilized as part of the manufacturing process by a commercial industry of a
163 substance or material not intended for human ingestion or consumption, as a prescription
164 administered under medical supervision, or for research at a recognized institution,
165 whenever the existence of these salts, isomers, or salts of isomers is possible within the
166 specific chemical designation or unless specifically excepted or listed in this or another
167 schedule, structurally derived from 1-cyclohexyl-4-(1,2-diphenylethy)-piperazine
168 (MT-45), and whether or not further modified in any of the following ways:

169 (A) Replacement of the cyclohexyl group with any of the following:

170 (i) Cycloheptyl group;

171 (ii) Cyclooctyl group;

172 (B) Substitution on the diphenyl groups with any of the following:

173 (i) Hydroxyl group;

174 (ii) Halide;

175 (iii) Alkoxy group;

176 (iv) Alkyl group;

177 (v) Ester group;

178 (vi) Phenyl ether group."

179 **SECTION 5.**

180 Said chapter is further amended in Code Section 16-13-26, relating to Schedule II controlled
181 substances, by adding new subparagraphs to paragraph (2) to read as follows:

182 "(C.5) Carfentanil;"

183 "(V.2) Thiafentanil;"

184 **SECTION 6.**

185 Said chapter is further amended in Code Section 16-13-26, relating to Schedule II controlled
186 substances, by revising subparagraph (E) of paragraph (3) as follows:

187 "(E) ~~Carfentanil~~ Reserved;"

188 **SECTION 7.**

189 Said chapter is further amended in Code Section 16-13-28, relating to Schedule IV controlled
190 substances, by revising paragraph (1) of subsection (b) as follows:

191 "(1) By substitution at the 2-position with a ketone or a thione;"

192 **SECTION 8.**

193 Said chapter is further amended in Code Section 16-13-29, relating to Schedule V controlled
194 substances, by deleting "or" at the end of paragraph (5), by substituting the "." at the end of
195 paragraph (6) with a ";", and by adding a new paragraph to read as follows:

196 "(7) Brivaracetam."

197 **SECTION 9.**

198 Said chapter is further amended in Code Section 16-13-71, relating to the definition of a
199 dangerous drug, by adding new paragraphs to subsection (b) to read as follows:

200 "(13.531) Adalimumab-atto;"

201 "(68.13) Atezolizumab;"

202 "(97.4) Bezlotoxumab;"

203 "(217.4) Crisaborole;"

204 "(244.2) Defibrotide;"
 205 "(331.053) Elbasvir;"
 206 "(355.6) Etanercept-szsz;"
 207 "(355.8) Eteplirsen;"
 208 "(430.7) Grazoprevir;"
 209 "(472.51) Infliximab-dyyb;"
 210 "(506.97) Ixekizumab;"
 211 "(520.2) Lifitegrast;"
 212 "(528.1) Lixisenatide;"
 213 "(658.7) Nusinersen;"
 214 "(661.03) Obeticholic acid;"
 215 "(661.05) Obiltoxaximab;"
 216 "(661.96) Olaratumab;"
 217 "(663.36) Omalizumab;"
 218 "(663.6) OnabotulinumtoxinA;"
 219 "(769.37) Prasterone;"
 220 "(835.5) Reslizumab;"
 221 "(848.2) Rucaparib;"
 222 "(1027.53) Velpatasvir;"
 223 "(1027.57) Venetoclax;"

224 **SECTION 10.**

225 Said chapter is further amended in Code Section 16-13-71, relating to the definition of a
 226 dangerous drug, by revising paragraphs (13.55), (198.05), and (673) of subsection (b) as
 227 follows:

228 "(13.55) Adapalene — See exceptions;"
 229 "~~(198.05) Clobazam;~~"
 230 "(673) Reserved Oxymetazoline;"

231 **SECTION 11.**

232 Said chapter is further amended in Code Section 16-13-71, relating to the definition of a
 233 dangerous drug, by adding a new paragraph to subsection (c) to read as follows:

234 "(0.5) Adapalene — when used with a strength up to 0.1 percent in a topical skin
 235 product;"

236

SECTION 12.

237 This Act shall become effective upon its approval by the Governor or upon its becoming law
238 without such approval.

239

SECTION 13.

240 All laws and parts of laws in conflict with this Act are repealed.